

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 25, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOSH WISE,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
SOCIAL SERVICES,

Defendant.

NO. 2:24-CV-0362-TOR

ORDER DENYING
RECONSIDERATION

BEFORE THE COURT is Plaintiff's Expedited Motion for Reconsideration.
ECF No. 11.

This Court, sitting in the Eastern District of Washington, does not have
jurisdiction over a State of California agency.

A motion for reconsideration of a judgment may be reviewed under either
Federal Rule of Civil Procedure 59(e) (motion to alter or amend a judgment) or
Rule 60(b) (relief from judgment). *Sch. Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255,
1262 (9th Cir. 1993). "Reconsideration is appropriate if the district court (1) is

1 presented with newly discovered evidence, (2) committed clear error or the initial
2 decision was manifestly unjust, or (3) if there is an intervening change in
3 controlling law.” *Id.* at 1263; *United Nat. Ins. Co. v. Spectrum Worldwide, Inc.*,
4 555 F.3d 772, 780 (9th Cir. 2009) (citation omitted). Whether to grant a motion
5 for reconsideration is within the sound discretion of the court. *Navajo Nation v.*
6 *Confederated Tribes and Bands of the Yakima Nation*, 331 F.3d 1041, 1046 (9th
7 Cir. 2003).

8 **ACCORDINGLY, IT IS HEREBY ORDERED:**

9 1. Plaintiff’s Expedited Motion for Reconsideration, ECF No. 11, is

10 **DENIED.**

11 2. The case remains **CLOSED.**

12 The District Court Executive is directed to enter this Order and furnish a
13 copy to Plaintiff.

14 **DATED** November 25, 2024.



18
19
20

A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
United States District Judge